IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FOURTEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 12027 of 2004

Between:

Pattasi Appa Rao, s/o late Kondappa,
Ex-Mandal President, r/o Araku Valley Mandal,
Visakhapatnam District. **..... PETITIONER**

AND

1 The Commissioner of Panchayat Raj, Secretariat, Hyderabad.
2 The District Collector, Visakhapatnam District.
3 Boorja Bariki Jagganna, M.P.T.C.Member,
Mandal Praja Parishad, Araku Valley, Araku Valley Mandal,
Visakhapatnam District.
4 Buridi Kogeswara Rao, M.P.T.C.Member,
Mandal Praja Parishad, Araku Valley, Araku Valley Mandal,
Visakhapatnam District. **..RESPONDENT(S)**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any appropriate writ, order or direction more in the nature of a writ of "Mandamus" declaring the inaction of the respondents 1 and 2 as arbitrary, illegal and contrary to the provisions of the A.P.Gram Panchayat Act, 1994 and consequently direct the respondents 1 and 2 to take action against the respondents 3 and 4 in accordance with the provisions of the A.P.Gram Panchayat Act

Counsel for the Petitioner:SMT.M.BHASKARA LAKSHMI

Counsel for the Respondents : GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court at the stage of admission made the following :

ORDER:

The present writ petition is filed questioning the action of the respondents 1 and 2 in not taking action on the representation filed by the petitioner dated 5-3-2004

against the respondents 3 and 4.

It is stated that the petitioner was elected as President of the Araku Valley Mandal Parishad and subsequently removed from the said post by way of a “no confidence” motion moved by the third respondent herein. The petitioner alleges that the respondents 3 and 4 are having more than two children and are disqualified to continue as members of the Mandal Praja Parishad and that he has made a representation to the first respondent on 5-3-2004 requesting to launch prosecution against respondents 3 and 4 for giving declarations in violation of the Panchayat Raj Act with a false representation at the time of elections. Complaining that no action is forthcoming from the respondents, the present writ petition is filed.

Heard the learned counsel for petitioner and learned Government Pleader for Panchayat Raj. Both counsel agreed for disposal of the writ petition with a direction to dispose of the representation of the petitioner dated 5-3-2004.

In the circumstances, the writ petition is disposed of directing the first respondent to consider the representation of the petitioner stated to have been filed on 5-3-2004, after issuing notices and affording reasonable opportunity to the affected parties, pass appropriate orders in accordance with law, as expeditiously as possible. No costs.

N.V.RAMANA,J

14-7-2004

TVK

To

1 The Commissioner of Panchayat Raj, Secretariat, Hyderabad.
2 The District Collector, Visakhapatnam District.
3 Boorja Bariki Jagganna, M.P.T.C.Member,
Mandal Praja Parishad, Araku Valley, Araku Valley Mandal,
Visakhapatnam District.
4 Buridi Kogeswara Rao, M.P.T.C.Member,
Mandal Praja Parishad, Araku Valley, Araku Valley Mandal,
Visakhapatnam District.

5..2CCs to G.P. for P.R, High Court of A.P., Hyderabad

6..2CD copies

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